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VIA ECF

Hon. Judge Denise Cote
United States District Court
Southern District of New York
500 Pearl St., Courtroom 18B
New York, NY 10007-1312

Re: Pioneer GP Limited et al v. Valdez et al; Case No. 1:22-cv-00373-DLC

Dear Judge Cote:

This firm represents Plaintiffs, Pioneer GP Limited and Champlain Investment Holdings Limited ("Plaintiffs") in the above-referenced action. Pursuant to Rule 1(E) of Your Honor's Individual Rules & Practices, Plaintiffs respectfully submit this letter motion requesting an adjournment of the initial pre-trial conference set for April 21, 2022 at 2:00pm (ECF No. 7) because the defendants reside abroad and service under the Hague Convention is ongoing.

Plaintiffs commenced this action filing a Complaint on January 14, 2022. A Summons was issued on February 1, 2022. Plaintiffs are now requesting an adjournment to allow for additional time for service of the Summons and Complaint upon defendant Jason Sweeny ("Defendant Sweeny") in Ireland and upon defendant Daria Valdez ("Defendant Valdez") in the Commonwealth of the Bahamas. Good cause for this adjournment exists, as demonstrated below by Plaintiffs ongoing extensive efforts to serve Defendant Sweeney and Defendant Valdez. This is Plaintiffs first request for an adjournment. Defendants have not consented to this request.

Service on Defendant Sweeny

Defendant Sweeny resides in the country of Ireland, and service must be effectuated in accordance with the Hague Convention. Plaintiffs efforts to serve Defendant Sweeny in Ireland began January 31, 2022 and are ongoing. Despite Plaintiffs' extensive efforts, Plaintiffs have not received confirmation from the Irish Judicial System that Defendant Sweeny has been served in compliance with the Federal Rules of Civil Procedure, Hague Convention and laws of Ireland. Plaintiffs have been advised this process can take as long as six to 12 months. Plaintiffs continue to inquire on the status of service on Defendant Sweeny and will file the requisite affidavit of service once service is effectuated on Defendant Sweeny.

Service on Defendant Valdez

Additionally, Plaintiffs' have been working on serving Defendant Valdez in the Commonwealth of the Bahamas. After initial attempts were believed to be successful, local counsel in the Bahamas was verbally informed that service was made on Defendant Valdez's housekeeper and not personally on Defendant Valdez. Plaintiffs have subsequently been informed



that Valdez is no longer in the Bahamas. Plaintiffs are continuing to investigate Defendant Valdez's location and are electing to not file an affidavit as effectuating service on Defendant Valdez at this time based on the questions surrounding whether Defendant Valdez was personally served.

Plaintiffs continue to inquire on the status of service on Defendant Valdez and will file the requisite affidavit of service once service is confirmed on Defendant Sweeny.

Conclusion

As set forth above, Plaintiffs efforts to serve Defendants Sweeny and Valdez are going in foreign jurisdictions. Because service has not been completed, Plaintiffs are requesting for the first time the adjournment of the initial pre-trial conference set for April 21, 2022 at 2:00pm. Plaintiff's propose the initial pre-trial conference is adjourned for 90 days at this time and propose the following dates:

- July 29, 2022
- August 5, 2022.

We thank the Court for its attention in this matter.

*The conference is adjourned to
7/29 at 11:00 am.
[Signature]
4/15/22*

MWJ/ja

Respectfully submitted,

Ropers Majeski PC

S/ Michael W. Jacobson /

Michael W. Jacobson